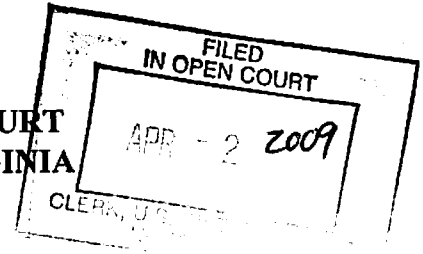


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



IN RE:) UNDER SEAL
) CASE NUMBER 2:09cr
GRAND JURY PROCEEDINGS)
)

MOTION TO SEAL INDICTMENT

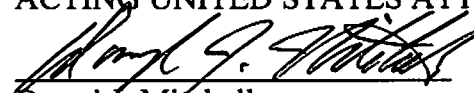
The United States of America, by and through its attorneys, Dana J. Boente, Acting United States Attorney for the Eastern District of Virginia, and Darryl J. Mitchell, Assistant United States Attorney, pursuant to Local Criminal Rule 49(B) moves to seal the indictment in this case.

Sealing is necessary to avoid notification of the existence of the arrest warrants which could result in flight from prosecution, the destruction of or tampering with evidence, the intimidation of potential witnesses, jeopardize the safety of the arresting officers or otherwise jeopardize the investigation. Another procedure will not adequately protect the needs of law enforcement at this time. Such sealing is within the discretion of this Court and may be granted "for any legitimate prosecutorial need." *United States v. Ramey*, 791 F.2d 317, 321 (4th Cir. 1986); *see also, In re Baltimore Sun Co. v. Goetz*, 886 F.2d 60, 65 (4th Cir. 1989).

The United States requests that the indictment and arrest warrants remain under seal until the initial appearance of the first defendant, at which time the indictment may be treated as a matter of public record.

DANA J. BOENTE
ACTING UNITED STATES ATTORNEY

By:


Darryl J. Mitchell
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